

PATENT DIVISION

JUN 22 2006

US PATENT &amp; TRADEMARK OFFICE

DEPT. REF

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ahmed SHERIFF et al.  
Serial No.: 10/573,049  
Filed: March 22, 2006  
For: USE OF A COMPOUND FOR REDUCING THE BIOLOGICAL  
EFFECTIVENESS OF IL-6

**TRANSMITTAL OF SMALL ENTITY REFUND**  
**DECLARATION AND REQUEST FOR REFUND**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

02 FC:2633  
03 FC:2632  
04 FC:2617

150.00 OP  
100.00 OP  
250.00 OP  
65.00 OP

Attention: REFUND SECTION, ACCOUNTING  
DIVISION, OFFICE OF FINANCE

Sir:

Submitted herewith is a Small Entity Declaration, establishing small entity status for the captioned application. In view of Manual of Patent Examining Procedure (MPEP) 509.03, refund of the excess fee paid on **March 22, 2006**, is respectfully requested. Please credit a refund in the amount of **\$565.00** to undersigned Counsel's Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By

*William E. Player*  
William E. Player  
Reg. No. 31,409

400 Seventh Street, N.W.  
Washington, D.C. 20004-2201  
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Atty. Docket: P71162USO  
Date: June 21, 2006  
WEP/cmf

Adjustment date: 08/11/2006 AYILMAZ  
03/30/2006 ATRAM 00000155 10573049  
01 FC:1631 -300.00 OP  
02 FC:1633 -200.00 OP  
03 FC:1632 -500.00 OP  
04 FC:1617 -130.00 OP



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0030033750

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Credit Card Refund Total: \$565.00

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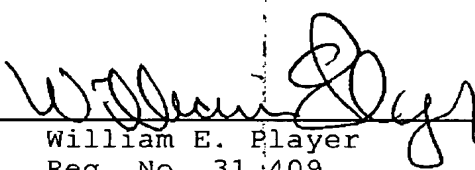
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-130.00 OP



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400 SEVENTH STREET, N.W.  
WASHINGTON, D.C. 20004

PATENT

060651US

(Cons: PCT/EP041010524)

Attny's Docket No. \_\_\_\_\_

**SMALL ENTITY DECLARATION**  
[37 CFR 1.27(a)(1)-(3)]

Each undersigned declares that:

(1) ☐ the application attached hereto.

(2) ☐ U.S. Application Serial No. \_\_\_\_\_, filed \_\_\_\_\_

(3) ☐ U.S. Patent No. \_\_\_\_\_, issued \_\_\_\_\_

is entitled to the benefits of "small entity" status for paying reduced fees under 35 U.S.C. 41(a) and (b) to the Patent and Trademark Office by virtue of the following:

(4) ☐ Each undersigned declares that he/she qualifies as an independent inventor, or would qualify had he/she made the invention, as defined in 37 CFR 1.27(a)(1).

(5) ☒ The undersigned declares that he/she is an official empowered to act on behalf of the concern identified below, that this concern qualifies as a small business concern as defined in 37 CFR 1.27(A)(2); that exclusive rights to the invention have been conveyed to and remain with the small business concern, or if the rights are not exclusive, that all other rights belong to small entities as defined in 37 CFR 1.27(a).

(6) ☐ The undersigned declares that he/she is an official empowered to act on behalf of the organization identified below, that this organization qualifies as a nonprofit organization as defined in

(a) ☐ 37 CFR 1.27(a)(3)(i) and (ii)(A)

(b) ☐ 37 CFR 1.27(a)(3)(i) and (ii)(B)

(c) ☐ 37 CFR 1.27(a)(3)(i) and (ii)(C) State law of \_\_\_\_\_

(d) ☐ 37 CFR 1.27(a)(3)(i) and (ii)(D); and

that exclusive rights to the invention have been conveyed to and remain with the organization, or if the rights are not exclusive, that all other rights belong to organizations as defined in 37 CFR 1.27(a).

(7) Each person, concern or organization to which I/we have assigned, granted, conveyed or licensed, or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

(a) ☒ no such person, concern or organization

(b) ☐ persons, concerns or organizations listed below

[a separate declaration is required from each named person, concern or organization having rights to this invention averring to their status as "small entities."]

Full Name \_\_\_\_\_

Address \_\_\_\_\_

☐ Individual

☐ Small Business Concern

☐ Nonprofit Organization

I/we acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement of small entity prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I/we hereby declare that all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this declaration is directed.

(8) \_\_\_\_\_  
Typed Name of Inventor Signature Date

\_\_\_\_\_  
Typed Name of Inventor Signature Date

\_\_\_\_\_  
Typed Name of Inventor Signature Date

\_\_\_\_\_  
Typed Name of Inventor Signature Date

(9) BioVation GmbH & Co. KG  
Name of Small Business Concern or Nonprofit Organization

HILLER By \_\_\_\_\_ Date 1. April 2006  
Typed Name Signature

Stephan Hiller CEO  
Title of Signatory